

REMARKS

This amendment is responsive to the Office Action dated February 10, 2006. Applicants have not amended the claims. Claims 1, 2, 4-8, 10-16, 26, 27, 30, 31, 33 and 34 are pending.

Claim Rejections Under 35 U.S.C. §§ 102, 103

In the Office Action, the Examiner maintained the rejection of claims 1-2, 4-5, 7-8, 10, 14-15, 18, 26-27, 29-31, and 36 under 35 U.S.C. 102(e) as being anticipated by Greco (US 2003/0070056 A1). In addition, the Examiner maintained the rejection of claims 3, 6, 9, 11-13, 16-17, 19, 28, 32-35 and 37 under 35 U.S.C. 103(a) as being unpatentable over the Greco reference in view of Albrecht et al., (US 2002/0159185 A1), Poltkin et al. (US 5,297,124), and Goodman et al. (US 2002/0169521 A1).

With this Response, the Applicants have submitted signed copies of a Fourth Supplemental Declaration under 37 C.F.R. 1.131. The Fourth Supplemental Declaration addresses the issues raised by the Examiner. Applicants respectfully request entry of the Fourth Supplemental Declaration and prompt allowance of the claims.

In the Office Action, the Examiner stated that Applicants' declaration filed on May 18, 2005 under 37 CFR 1.131 was ineffective to overcome the Greco reference.

With respect to sections 19, 20 and 21 of the Declaration, the Examiner pointed to certain incorrect references to the pending claims. Applicants have corrected these sections of the Declaration.

In addition, the Examiner stated that the evidence was insufficient to establish diligence. Applicants have revised the Declaration to clarify their reasonable diligence from prior to October 5, 2001 to the filing date of this application.

Applicants submit that the Fourth Supplemental Declaration and accompanying Exhibits, establish that the Applicants conceived the inventions set forth in claims 1, 2, 4-8, 10-16, 26, 27, 30, 31, 33 and 34 of this application prior to October 5, 2001, and worked on such inventions with reasonable diligence from prior to October 5, 2001 to the filing date of this application. Accordingly, in view of the Declaration and Exhibits, Applicants respectfully submit that the rejections of claims 1, 2, 4-8, 10-16, 26, 27, 30, 31, 33 and 34, which are based upon the Greco

reference having an effective date of October 5, 2001 under 35 U.S.C. § 102(e), should now be withdrawn.

Applicants do not acquiesce to or admit in any way to the propriety of the rejections advanced by the Examiner under sections 102 and 103 with respect to any of the claims. On the contrary, such claims recite a number of features that are neither disclosed nor suggested by the applied references. The Declaration should render moot such rejections in accordance with 37 C.F.R. 1.131 and expedite allowance of the pending claims.

No new issues have been raised by way of this response, and the evidence set forth in the Supplemental Declaration and accompanying Exhibits overcome the Greco reference and place the claims in a condition for allowance.

CONCLUSION

All claims in this application are in condition for allowance. Applicants respectfully request reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to Deposit Account No. 09-0069. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

5/10/06

By:



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